

### DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **EPITOPE SEQUENCES**; the specification of which was filed on **September 5, 2003** as Application Serial No. 10/657,022.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

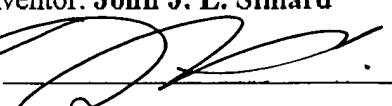
I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/409,123

Filing Date: September 6, 2002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

-----  
Full name of first inventor: **John J. L. Simard**

Inventor's signature 

Date 16th December, 2003

Residence: **Suite #7, 1684 Alberni Street, Vancouver, BC Z6G1A6, Canada**

Citizenship: **Canadian**

Post Office Address: **Suite #7, 1684 Alberni Street, Vancouver, BC Z6G1A6, Canada**

Full name of second inventor: **David C. Diamond**

Inventor's signature 

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Attorney's Docket No. MANNK.032A

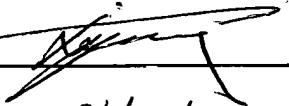
Date 1/14/04

Residence: 23135 Schoenborn Street, West Hills, California 91304

Citizenship: United States

Post Office Address: 23135 Schoenborn Street, West Hills, California 91304

Full name of third inventor: Liping Liu

Inventor's signature 

Date 01/14/2004

Residence: 18521 Mayall Street, Northridge, California 91324

Citizenship: Canadian

Post Office Address: 18521 Mayall Street, Northridge, California 91324

Full name of fourth inventor: Zheng Liu

Inventor's signature 

Date 1/14/04

Residence: 22216 Victory Boulevard, C302, Woodland Hills, California 91367

Citizenship: Chinese

Post Office Address: 22216 Victory Boulevard, C302, Woodland Hills, California 91367

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	John J. L. Simard, et al.	)
App. No.	:	10/657,022	)
Filed	:	September 5, 2003	)
For	:	EPITOPE SEQUENCES	)
Examiner	:	Unknown	)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer

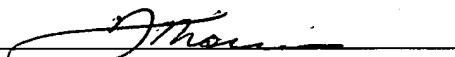
App. No. : 10/657,022  
Filed : September 5, 2003

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

MANNKIND CORPORATION

Dated: 1/16/04

By:   
David Thomson

Title: Senior Vice President and General Counsel

Address: 28903 North Avenue Paine  
Valencia, California 91355

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Application No.: 10/657,022  
Filing Date: September 5, 2003

PATENT  
Client Code: MANNK.032A  
Page 1

## ASSIGNMENT

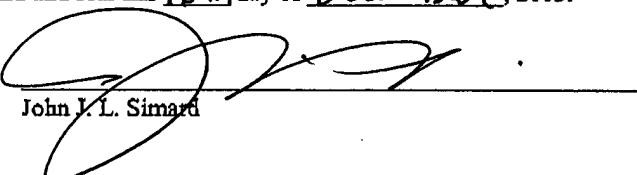
WHEREAS, We, John J. L. Simard, a Canadian citizen, Suite #7, 1684 Alberni Street, Vancouver, BC Z6G1A6, Canada, David C. Diamond, a United States citizen, residing at 23135 Schoenborn Street, West Hills, California 91304; Liping Liu, a Canadian citizen, residing at 18521 Mayall Street, Northridge, California 91324; and Zheng Liu, a Chinese citizen, residing at 22216 Victory Boulevard, C302, Woodland Hills, California 91367, have invented certain new and useful improvements in EPITOPE SEQUENCES for which we have filed an application for Letters Patent in the United States, Application No. 10/657,022, Filed on September 5, 2003.

AND WHEREAS, MannKind Corporation (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 28903 North avenue Paine, Valencia, California 91355, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16<sup>th</sup> day of December, 2003.



John J. L. Simard

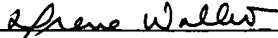
STATE OF }  
 }  
COUNTY OF }

ss.

On 16<sup>th</sup> December 2003 before me, Irene M. Waller, personally appeared John J. L. Simard personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Irene M. Waller  
Notary Signature

IRENE MARGARET WALLER  
BARRISTER & SOLICITOR

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 14th day of January, 2004.

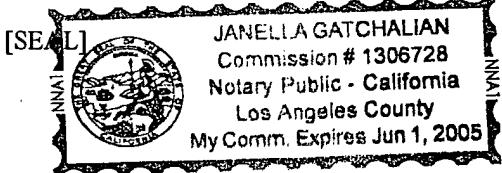
David C. Diamond

David C. Diamond

STATE OF California }  
COUNTY OF Los Angeles } ss.

On January 14, '04, before me, Janella Gatchalian, Notary Public, personally appeared David C. Diamond personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Janella Gatchalian  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 14th day of January, 2004.

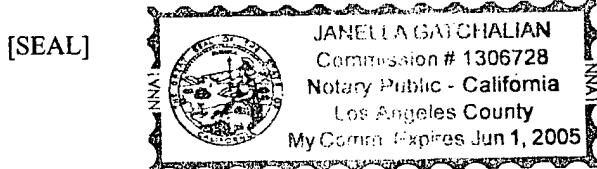
Liping Liu

Liping Liu

STATE OF California }  
COUNTY OF Los Angeles } ss.

On January 14, 04, before me, Janella Gatchalian, Notary Public, personally appeared Liping Liu personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

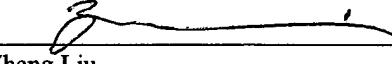
WITNESS my hand and official seal.



Janella Gatchalian  
Notary Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 14th day of January, 2004.

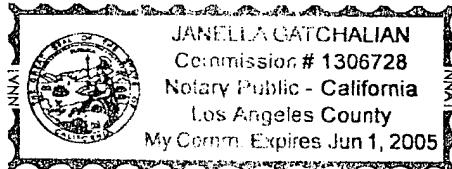
  
Zheng Liu

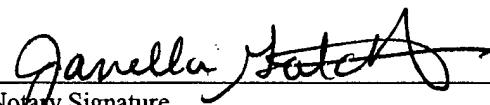
STATE OF California }  
COUNTY OF Los Angeles } ss.

On January 14, 04 before me, Janella Gatchalian, notary, personally appeared Zheng Liu personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in her authorized capacity(ies), and that by his her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

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